

N THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

BILLY ALLS, #161437,)
Petitioner,)
v.) CASE NO. 3:05-cv-1228-MEF
GWENDOLYN MOSLEY, *et al.*,)
Respondents.)

ORDER

This cause is before the Court on the "Petitioner's Appeal of Magistrate Order" (Doc. #38) filed on July 11, 2006. Specifically, petitioner objects to the Magistrate Judge's order of June 29, 2006 (Doc. #37) denying petitioner's motion for recusal. After an independent review of the Magistrate Judge's order and the petitioner's objection, the Court finds that the Magistrate Judge's order is neither clearly erroneous, nor contrary to law. *See* Fed. R. Civ. P. 72(a). Therefore, it is hereby

ORDERED that petitioner's objection (Doc. #38) is OVERRULED. It is further ORDERED that this case is REFERRED back to the Magistrate Judge for appropriate action.

DONE this the 12th day of July, 2006.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE